IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

WP(C).No. 25803 of 2007(V)

PETITIONER:

JANCY SHAJU, AGED 38, W/O. SHAJU,
THATTEKKATTIL HOUSE, NADAMA DESOM,
NADAMA VILLAGE, KANAYANNUR TALUK,
PRESENTLY RESIDING AT THATTEKKATTIL HOUSE,
KUREEKADU P.O.

BY ADV. SRI.VARGHESE C.KURIAKOSE
SRI.PRAVEEN K. JOY
SMT.THANKOM.G
SRI.E.M.MURUGAN

RESPONDENTS:

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1. STATE OF KERALA, REP. BY ITS
SECRETARY, MINISTRY OF REVENUE,
SECRETARIAT, TRIVANDRUM.

2. CHOTTANIKKARA GRAMA PANCHAYAT,
REP. BY ITS SECRETARY, PANCHAYAT OFFICE,
CHOTTANIKKARA.

3. THE TALUK SURVEYOR,
KANAYANNUR TALUK, ERNAKULAM.

4. THE PANCHAYAT COMMITTEE,
CHOTTANIKKARA GRAMA PANCHAYAT, REP.BY
ITS PRESIDENT.

BY ADV. SRI.S.SREEKUMAR
BY GOVT. PLEADER SRI. P.K. RAVIKRISHNAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 25803/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : A TRUE PHOTOSTAT COPY OF THE SKETCH PREPARED BY VILLAGE OFFICER, KANAYANNUR.

EXT. P2 : A TRUE PHOTOSTAT COPY OF THE SALE DEED NO.1268/2006 OF SRO, MULANTHURUTHY.

EXT. P3 : A TRUE PHOTOSTAT COPY OF THE BASIC TAX RECEIPT ISSUED BY KUREEKADU VILLAGE DATED 7.6.2007.

EXT. P4 : A TRUE PHOTOSTAT COPY OF THE LOCATION CERTIFICATE ISSUED BY VILLAGE OFFICER, KANAYANNUR.

EXT. P5 : A TRUE PHOTOSTAT COPY OF THE NOTICE DATED 12.6.2007.

EXT. P6 : A TRUE PHOTOSTAT COPY OF THE LETTER DATED 4.5.2007 BY THE 2ND RESPONDENT.

EXT. P7 : A TRUE PHOTO STAT COPY OF THE APPEAL AGAINST THE NOTICES, ESPECIALLY EXT.P5 NOTICE TO THE 4TH RESPONDENT INVOKING SECTION 276 OF THE KERALA PANCHAYAT RAJ ACT, 1994.

EXT. P8 : A TRUE PHOTOSTAT COPY OF THE EXTRACT OF THE DECISION DATED 16.6.2007.

K.M.JOSEPH, J.

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WP.(C) No. 25803 of 2007

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Dated this the 14th day of September, 2007

JUDGMENT

Petitioner preferred Ext.P7 statutory appeal against Ext.P5 notice, by which the Panchayat alleged violation of Section 220B of the Kerala Panchayat Raj Act. By Ext.P8 order the Panchayat Committee resolved to conduct the measurement of the property of the petitioner through the third respondent Taluk Surveyor. According to the petitioner she also applied to the third respondent for measurement, but no measurement has so far taken place. The building is not yet numbered. The delay is causing untold miseries to the petitioner is the case of the petitioner.

2. I heard learned counsel for the petitioner, the Panchayat and the learned Government Pleader.

In the facts and circumstances of the case, the writ petition is disposed of directing the third respondent to conduct and complete the measurement as requested for by the Panchayat and also the petitioner and submit a report to the respondent Panchayat within a period of one month from the date of production of a copy of this judgment.

(K.M. JOSEPH, JUDGE)

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